



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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April 16, 1999

Richard Coleman
1989 South Broadway
Grand Junction, Colorado 81503

Re: Deficient Notice of Intention to Commence Small Mining Activities, Coleman Project , S/055/018
(ML-48081), Wayne County, Utah

Dear Mr. Coleman:

Thank you for your Notice of Intention, received by the Division on April 14, 1999, concerning your proposed small mining project located on State managed lands in the SE 1/4 Section 32, T29S, R3E, SLBM, Wayne County, Utah. This project area is adjacent to the Dixie National Forest. The notice **does not** satisfy the requirements of Rule R647-3 of the Utah Mined Land Reclamation Act of 1975, Title 40-8, **et seq.**, Utah Code Annotated.

The following information is still required:

Section I. General Information, item 6, of the notice of intention to commence small mining operations form (NOI-SMO) was left blank. Please explain whether the surface and mineral owners have been notified in writing of this project.

Section I. General Information, item 7, of the form was left blank. Please explain whether you, the operator, have legal right to enter and conduct mining on the land covered by this notice.

The notice form describes the total project surface acreage to be disturbed as 2 acres. The March 12, 1999 letter to the School Institutional Trust Lands Administration (SITLA) states the disturbance will be approximately 3 acres. Please explain these conflicting figures and describe the proposed surface disturbance for your project.

The notice form and letter to SITLA state that no water courses will be disturbed, yet the proposed mining area encompasses a section of Pine Creek which is shown on the Government Point quad map as a perennial stream. Please explain how the gravels will be excavated down to bedrock in the project area without impacting Pine Creek?

Mining activities within an active stream channel may require a Stream Channel Alteration Permit from the state Division of Water Rights. You are advised to contact them at (801) 538-7240 regarding their permitting requirements. Activities within a stream channel may also require a permit from the Army Corp of Engineers, phone number (801) 295-8380. If Pine Creek is a fishery, any activities proposed within the stream channel may require clearance from the Division of Wildlife Resources.

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The NOI-SMO states approximately 2,000 feet of road 20 feet wide will be improved. The site map shows one road to the project area approximately 1,000 feet long which follows an existing 4-wheel drive trail through the eastern edge of the project area. Please provide a written description of the existing condition of this 4-wheel drive trail. Photographs to document the existing conditions are also advised. Documentation of the existing disturbances will prevent you from having to reclaim disturbances which you did not create.

The site map shows a road leading from the western edge of the project area to the main road approximately 1,000 feet long. This section of road appears to be new although it was not included in under the new road section of the SMO-NOI form. Please describe the length and width of this new road from the western edge of the project area.

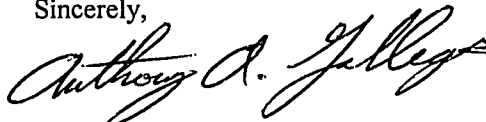
Section V. Variance Request of the form was left blank. The Division will interpret this to mean that you will be able to fully comply with all of the applicable Operation and Reclamation Practices described in the SMO-NOI form unless you notify us in writing of variance requests. Please be advised that you do not need to request a variance from a practice which applies to features which are nonexistent at your operation. For example, since your operation does not include any mine shafts or tunnels you do not need to request a variance from item 2 of the Operation and Reclamation Practices.

The Division will suspend review of your small mine notice until the additional information described above has been provided. As of July 1, 1998, the fees are assessed to new and existing notices of intention, and annually thereafter. Small Mining Notices require a \$100.00 fee which must be received prior to initiating any mining activities. You are required to pay the appropriate permit fee for this notice to be considered in effect. Please submit your fee payment by check made out to the Division of Oil, Gas and Mining.

A Memorandum of Understanding between this Division and the State Department of Environmental Quality (DEQ) requires us to notify them upon receipt of a mining application. If you haven't already done so, you are advised to contact their office prior to starting your small mining operation to determine whether additional permits and/or approvals are required. We will forward a copy of this letter and your notice to the DEQ for their review. Their address and phone number is: Department of Environmental Quality, 288 North 1460 West, Salt Lake City, Utah, 84116, (801) 538-6146.

If you have any questions regarding this letter, or the permitting requirements for small mining operations please call me at (801) 538-5267. Please reference our file number S/055/018 in any correspondence.

Sincerely,



Anthony A. Gallegos
Senior Reclamation Specialist

jb
cc: Will Stokes, SITLA (ML48081)
Kiran Bhayani, DWQ w/NOI
Jim Wells, Water Rights w/NOI
Tracking File
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